

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

DAVID FANCHER, LEE FUTRELL, JOHN)
ORUE, CRAIG UNTERBERG, ARIEL)
ALVARADO, DENNIS TOLES, CAROLE)
CARLSON, DENNIS MONROE, and RICHARD)
HENDERSON,)

Plaintiffs,)

v.)

UNITED STATES OF AMERICA,)

Defendants.)

**JUDGMENT IN A
CIVIL CASE
CASE NO. 5:22-CV-315-D-RN**

Decision by Court. This action came before this Court for ruling as follows.

IT IS ORDERED, ADJUDGED, AND DECREED that the court DISMISSES WITHOUT PREJUDICE plaintiffs' complaint for failure to exhaust administrative remedies under section 804(h) of the Camp Lejeune Justice Act. In light of the conclusion, the court DECLINES to address how to apply Local Civil Rule 83 .1(e)(5) to those attorneys who have made special appearances in "three unrelated cases in any twelve-month period." L. Civ. R. 83.1(e)(5).

This Judgment Filed and Entered on December 20, 2022, and Copies To:

Kevin R. Dean	(via CM/ECF electronic notification)
Matthew D. Quinn	(via CM/ECF electronic notification)
John David Hurst	(via CM/ECF electronic notification)
William Christopher Swett	(via CM/ECF electronic notification)
James A. Roberts, III	(via CM/ECF electronic notification)
Frederick Gaston Hall	(via CM/ECF electronic notification)
John A. Bain	(via CM/ECF electronic notification)

DATE:
December 20, 2022

PETER A. MOORE, JR., CLERK
(By) /s/ Nicole Sellers
Deputy Clerk